

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Andrew Flynn and
David Hutchinson

v.

Civil No. 04-cv-17-PB

Timothy H. Bradley, et al.

O R D E R

Defendants move for a protective order or, in the alternative, to quash a subpoena which counsel served upon defendants' accountants without complying with the requirements of Fed. R. Civ. P. 5(a) and (b) and 45(b)(1). Plaintiffs admit the non-compliance seeking to excuse themselves by asserting "administrative error". The buck stops with counsel not administrative personnel. The motion to quash (document no. 34) is granted without prejudice.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: July 29, 2005

cc: William E. Christie, Esq.
Vinita Ferrera, Esq.
Christopher R. Noyes, Esq.
Barbara J. Dougan, Esq.
Stephen H. Oleskey, Esq.